

In the Name of God, the Most Merciful, the Most Kind



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Rights and Responsibilities are Correlative

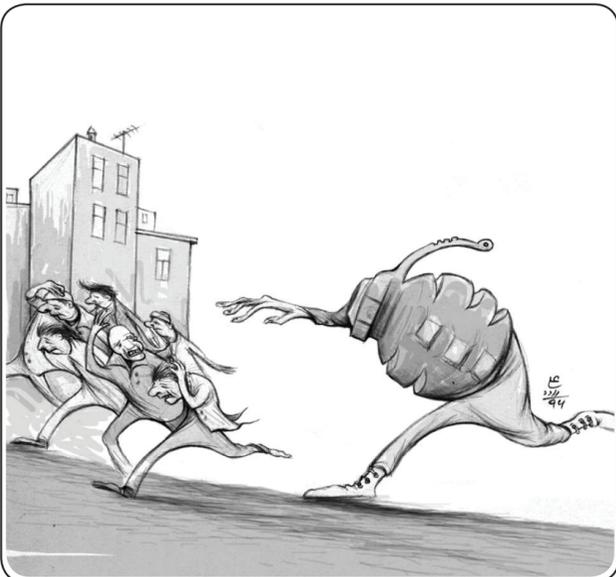
Human nature has two aspects, personal and social. Every individual has a desire, a need or a want to do or have something. He wants to satisfy his bodily needs for food, clothing and shelter, his instinctive needs for family and friendship, his social requirement of love and belongingness and company of fellow human beings, his cultural, intellectual and numerous other needs and purposes, ideals and motivations. He makes efforts to satisfy or realize them. This basically forms his personality - the personal or individual aspect of his life. If he were alone in the world, the satisfaction of his needs and desires or the realization of his aims and purpose would be determined by the powers and capacities of his body and mind. But nobody can live alone. Everybody has to live in the company or society of other human beings. Now, in society, when an individual want to do something it must be directly or indirectly, implicitly or explicitly accepted by others. Basically the origin of the right is the claim or power of a person to do or have something recognized by others.

Thus, right is a socially recognized claim, generated from the very nature of human personality and society. But the question is, "Why should an individual claim a right and why should others recognize it?" Every action arouses a reaction and leads to a social relation. Right raises claim to action on one side and recognition of the claim on the other. Other men recognize only those claims which promote common good, that is, the good life for all. Society recognizes those desires or claims for action which firstly does not injure the equal claims of others, and secondly, endorses its common good. It means, firstly that the individual must be conscious of his own good and develop his power to realize it and secondly he must be conscious of the good of others and help them in realizing their desires and powers. Only those desires and claims of an individual are right which promote the same and equal desires and claims of others. This is the common end of social life, the common good or welfare and happiness of all. This is basically the essential nature of rights, which consists of three things; the needs of human personality, the social recognition and the common good or the moral nature of social life. The recognition of a right may be given by the conscience of men, by the social opinion of a people or by the state. Each agency of recognition gives us different kinds of rights. Human conscience recognized moral rights, social opinion, social rights and the recognition by the state gives us legal rights. Furthermore, right is only one end of a social relation, the other end being duty. A right is a claim of a citizen on others to do or have something, while duty is the others claim on the citizen to the same freedom of action or enjoyment. Thus every right implies a corresponding duty. A good social relation means a reciprocal right and duty. Where a social relation gives rights to one person or class of persons without imposing duties on them, it creates a relationship of masters and slaves.

Rights and duties are correlative. This correlation is mainly because of the functions. A right is claimed to do or enjoy something which is a socially useful or necessary function. Every right has a function attached to it. Mere enjoyment of a right without the performance of the function that is requires is a hollow claim and an anti-social behavior. After having enjoyed a right, a person has the duty to perform its function also. For instance, every citizen has a right to education. But when he has acquired education or training, he must be ready to contribute his share to the social good for which he has educated or trained himself. This is his duty. State or society has given a citizen rights so that he may contribute his share or fulfill his duty towards the common good. Otherwise, he has no right to enjoy his rights.

The societies, wherein the citizens have clear understanding about their rights and duties, are destined to prosper. There is better social setup there and more cooperation and brotherhood prevail. However, the societies that have citizens who are not sure about their due rights and duties face real difficulties in attaining social order and unity.

Afghanistan is also one of the same types of countries. Afghan citizens are not aware about their true rights and they are mostly insensitive or careless about their duties. Some of the educated youth, now, have some familiarity about these concepts but many among them emphasize more on their rights than their duties. They keep on shouting about their rights, but mostly neglect the same for others if they are in a position where they are responsible for some duties. It is the need of time that Afghan citizens must understand and perform their duties as the circumstances in the country demand so, and then they should have emphasize on their rights.



Ways out of Security Deadlock

By Jawad Sorosh

The tragedy of July 24 reminds one of the last year suicide attack which killed the demonstrators of the Enlightenment Movement. The repetition of the same act of violence and targeting soldiers and civilians reflect the strong mercilessness and cruelty of the sworn enemy of Afghanistan. Involving in tens of such acts, the Taliban proved that they show no value to the rule of war and their only claim to fame is to spread horror and terror among the public. Targeting combatants and non-combatants alike is the epitome of flagrant violation of humanitarian law.

The Taliban militants show no respect to the lives and properties of innocent Afghans. Afghan civilians, who have nothing to do with war, suffer heavy casualties and financial losses. The Taliban seek through their new strategy, according to them, to weaken the government and widen the gap between state and nation. That is to say, creating rift between state and nation is the recent strategy of the armed parties.

On the other hand, the intensification of the Taliban's attacks and their large-scale offensives have triggered a sense of mistrust of protecting individuals. Therefore, the government needs to promote transparency in security sector to attract the attention and support of the people. Undoubtedly, expanding political participation, increasing transparency and accountability, especially in the security sector, will help the National Unity Government (NUG) to curb insecurities.

Creating a national and political consensus to overcome the current situation, reach a sustainable peace, align the region and the countries involved in Afghanistan's issues, and reduce political tension will tackle the current challenges and enable the country to open a new page regarding its strategy vis-à-vis terrorism and establishing sustainable peace and stability across the country.

Combating terrorism will bear the desired fruit if, taking distinction into account between terrorists and victims, only terrorists are targeted. That is to say, the US-led NATO will have to target only and only terrorists so as to cooperate with Afghan people. The policy of lack of distinction between victims and terrorists adopted by the two strategic allies within the past decade led to countless casualties in Afghanistan without fruition in terms of combating terrorism. I believe that Pakistan and the US, who are involved in the country's issue, can play a role about peace process in Afghanistan. Achieving peace requires a clear policy and strategy between the proponents and opponents of peace and reconciliation in Afghanistan.

A clear definition of terrorists in the state's war strategy versus terrorist groups is in need of a strong political will

of rulers. This will lead to adopting a certain strategy to change the dreams of Afghan people, who are the main victims of war, into reality. Understanding the current vacuum in peaceful policy of Afghanistan, an efficient strategy should be designed to end the crisis.

On the other hand, the people's role in cooperating with Afghan soldiers and intelligence is of paramount significance. So far, the previous government was less concerned with the role of people about providing security. Supporting local councils, training and attracting intelligence, combating corruption among security and reconnaissance forces, reducing widespread poverty, and curbing class divisions are the elements which help the government to overcome terrorist issues. The reconciliation process with the Taliban has still not had a significant and realistic outcome, and the High Peace Council (HPC), considering its past, has been regarded as a consuming and futile entity. Recently, there seems a new movement in the structure of the HPC which has triggered a relative sense of hope towards peace but there is still a lot to be done. Moving from internal perspective to regional one and from marginal perspective to that of contextual and taking practical step towards permanent peace and stability in Afghanistan and reconciling the conflicting views of neighboring countries and global actors will strengthen this process.

Supporting the country's armed forces and putting further pressure on the Taliban for obtaining peace and stability and attracting the support of international community in relation to internal confidence-building and political plans within the government are the issues which will strengthen the peace process.

In Washington's possible new strategy, the discussion is about increasing foreign forces, but it is believed that apart from increasing the number of foreign forces, arming and financing Afghan forces should become a priority in the new strategy of the United States and the international community in Afghanistan. It is further believed that more foreign troops with a consultative role will not have a determining influence on the fate of war. Therefore, ignoring the priority of financing and equipping Afghanistan's armed forces, with regard to the sensitivities and opposition of the regional and neighboring countries, it will not only fail to break the deadlock in Afghanistan but also increase the interference of the country's neighbors. Washington's new strategy must be considered with the realization of the inconsistent political context and the interests of the region. In short, with the Taliban's intensified attacks, it seems that supporting Afghan soldiers will be the best possible way in combating terrorism.

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Tit-for-Tat Acts in Tribal Belts

By Hujjatullah Zia

Discrimination on the basis of gender and violence against women are widespread not only in Afghanistan but also around the region. Women are treated as pariah in tribal belts, mainly in Afghanistan and Pakistan. Their social and political role is denied and they are restricted within the four walls in tribal areas. The tribal code of conduct regarding women and the prominent role of tribal council, formed by tribal elders, transcend both religious tenets and national laws.

In tribal belts, where patriarchal system holds strong sway, people claim to practice upon the religious tenets through being strict towards women. For example, the Taliban were the product of social and political backgrounds prevailed in villages. They exercised highly strict rule and dogmatic mindsets in terms of women's rights and liberties. Women lacked very basic rights during the Taliban's regime in Afghanistan (1996 - 2001). They were not allowed to reveal their face in public or go out without male chaperone. Wearing burqa (a head-to-toe covering) was imperative for women. In brief, despite the Taliban's claim, their practices were in conflict with religious tenets and Islamic values. They imposed their own warped minds on religion.

Currently, Pashtunwali (a tribal code of conduct) prevails among Pashtun tribes both in Afghanistan and Pakistan. Based on this code, the tribal councils and elders are allowed to decide on family issues - be it against law or religion. Their decision is held more important than that of religious sharia or Islamic Sunnah. Women are the main victims of Pashtunwali since it is strict regarding their rights and freedoms.

A report recently released by BBC says that a girl fell victim to a gang rape in a tribal belt in Pakistan as a result of a decree issued by tribal elders since her brother raped a teenage girl in the same village. The criminal's sister, was raped by a mob before the eyes of her family and people in southern Panjab province.

The fact shows that this is not a spontaneous decision but the deep-seated code rules tribal belts for many generations and harsh mindsets and practices regarding women. Torturing and dishonoring women in desert courts take place every once in a while in both Afghanistan and Pakistan. For example, two incidents of the same nature happened in these two countries within past years. A 27-year-old

woman Farkhunda was lynched by angry mob in Kabul on 19 March 2015 after allegedly arguing with a talisman-writer who falsely accused her of burning the Koran, the Sacred Book of Muslims. On 13 April 2017, Mashal Khan, a student at the Abdul Wali Khan University Mardan in Pakistan was killed by a mob over fake allegations of posting allegations blasphemous content online.

Little wonder, the deep-seated radical tradition, parochial mindset, and lack of tolerance lead to harsh and immoral practices in tribal areas. Their exercises, which are against the law, religion and moral values, suggest that they still live in the state of nature - where people decided out of revenge. In the state of nature, when a person belonging to a certain tribe was hurt or killed, the entire tribe sought to hurt or kill any members of the criminal's family. Nonetheless, it should be noted that in civil society, crime is a personal act and no one is supposed to fall victim for the crime of another person - no matter be it their brother, sister, parents, etc. Secondly, "the accused shall be innocent until proven guilty by the order of an authoritative court" and neither tribal council nor people have the legal authority to decide who the criminal is or simply conduct a desert court.

Furthermore, men and women are equal in the view of modern men and international law and "all human beings are born free and equal in dignity and rights". It is stated in the second article of the Universal Declaration of Human Rights (UDHR) as, "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status...."

Such illegal practices and sub-cultures in tribal belts reflect two issues: First, the locals in those areas lack basic knowledge about religion and women bear the brunt of violence on the basis of this fact. Second, the government is not able to implement the law. It is most likely that if those, who were involved in such activities, were prosecuted seriously in the past, they would not continue conducting desert courts. It is still not too late for governments in Afghanistan and Pakistan to minimize violence against women through enforcing law and conducting public awareness regarding women's rights from the eye of law.

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